

ESTTA Tracking number: **ESTTA723470**

Filing date: **01/28/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Atlantic Mutual Legal Defense Insurance Company		
Entity	Corporation	Citizenship	FLORIDA
Address	200 S. Andrews Avenue Ft. Lauderdale, FL 33301 UNITED STATES		

Attorney information	H. John Rizvi Gold & Rizvi P.A. 11575 Heron Bay Blvd suite 106 coral springs, FL 33076 UNITED STATES john@ideaattorneys.com Phone:954-452-0033
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Registration Subject to Cancellation

Registration No	1473491	Registration date	01/19/1988
Registrant	ATLANTIC MUTUAL INSURANCE COMPANY 100 WALL STREET NEW YORK, NY 10005 UNITED STATES		

Goods/Services Subject to Cancellation

Class 036. First Use: 1987/03/06 First Use In Commerce: 1987/03/06 All goods and services in the class are cancelled, namely: INSURANCE UNDERWRITING SERVICES
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Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	3902-0100_Petition-to-cancell.pdf(1632720 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by USPS Express Mail Post Office to Addressee on this date.

Signature	/H. JOHN RIZVI/
Name	H. John Rizvi
Date	01/28/2016

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

Atlantic Mutual Legal Defense Insurance Company,
Petitioner

Cancellation No. _____

v.

Atlantic Mutual Insurance Company Corporation,
Respondent

Registration No. 1473491

PETITION FOR CANCELLATION

Atlantic Mutual Legal Defense Insurance Company, a corporation of the State of Florida, doing business at 200 S. Andrews Avenue, Ft. Lauderdale, FL 33301 ("Petitioner"), brings this Petition For Cancellation of Registration No. 1,473,491 (the "Registration") for the mark ATLANTIC MUTUAL COMPANIES and logo, against Atlantic Mutual Insurance Company Corporation, with a listed business address of 100 Wall Street, New York, NY 10005 ("Respondent").

Petitioner believes that it will be damaged by continued registration of the ATLANTIC MUTUAL COMPANIES Mark, and hereby requests cancellation of the Registration for said mark.

Grounds for Cancellation

As grounds for this petition, Petitioner states as follows:

1. Petitioner is the Applicant of SN 86/872,960 for the mark ATLANTIC MUTUAL INSURANCE COMPANY (the "Application"). Petitioner has a *bona fide* intent to use the mark in commerce in connection with Insurance Underwriting Services. Petitioner has standing to bring this Petition.
2. Petitioner is aware that the Registration will be cited against the Application based on Section 2(d) of the Lanham Act (15 USC 1052(d)) because the marks are nearly identical. Applicant's mark will be refused registration.

3. Petitioner conducted an investigation as to the use of ATLANTIC MUTUAL INSURANCE COMPANY (AND COMPANIES) and found that the Registrant no longer exists nor does business.
4. On April 27, 2011 Respondent was found insolvent and placed into liquidation by the Supreme Court of the State and County of New York. (Exhibit A)
5. The New York Superintendent of Insurance was appointed as liquidator on April 27, 2011. (See Notice from New York Liquidation Bureau Exhibit B)
6. Respondent was also licensed to do business in Texas and the Commissioner of Insurance of the State of Texas issued an order of impairment, effective April 27, 2011. (Exhibit C)
7. Petitioner conducted Google searches of the world wide web for "Atlantic Mutual Insurance Company insurance" (Exhibit D-1), "Atlantic Mutual" (Exhibit D-2), and "Atlantic Mutual Companies" (Exhibit D-3). The results of each search address the bankruptcy and do not reveal use of the mark by Respondent.
8. Upon information and belief, Petitioner believes that the Registration has not been used in commerce in connection with insurance underwriting services since at least as early as April 27, 2011. It has been more than three years since the date of liquidation (almost five years) and Petitioner believes that abandonment may be presumed abandoned based on Section 45 of the Lanham Act (15 USC 1127).
9. Petitioner believes that continued registration of ATLANTIC MUTUAL COMPANIES and logo will deprive Petitioner of its ability to use the mark in good faith in commerce and also obtain a registration for its mark; thereby damaging Petitioner.
10. In light of the abandonment of the ATLANTIC MUTUAL COMPANIES and logo mark, it is respectfully submitted that the registration therefor should be properly cancelled as to the services claimed therein and that Registration No. 1,473,491 should thereby be removed from

the Principal Register. 15 USC 1064(3). Otherwise, Petitioner will continue to be damaged by the existence of the Registration.

The required fee has been provided.

WHEREFORE, Petitioner prays that this Petition be sustained and that Registration No. 1473491 be cancelled.

Respectfully Submitted,

Atlantic Mutual Legal Defense Insurance Company

By: 

John Rizvi, Esquire
GOLD & RIZVI, P.A.
11575 Heron Bay Blvd., Ste. 106
Coral Springs, FL 33076

Date: JANUARY 26, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

Atlantic Mutual Legal Defense Insurance Company,
Petitioner

Cancellation No. _____

v.

Atlantic Mutual Insurance Company Corporation,
Respondent

Registration No. 1473491

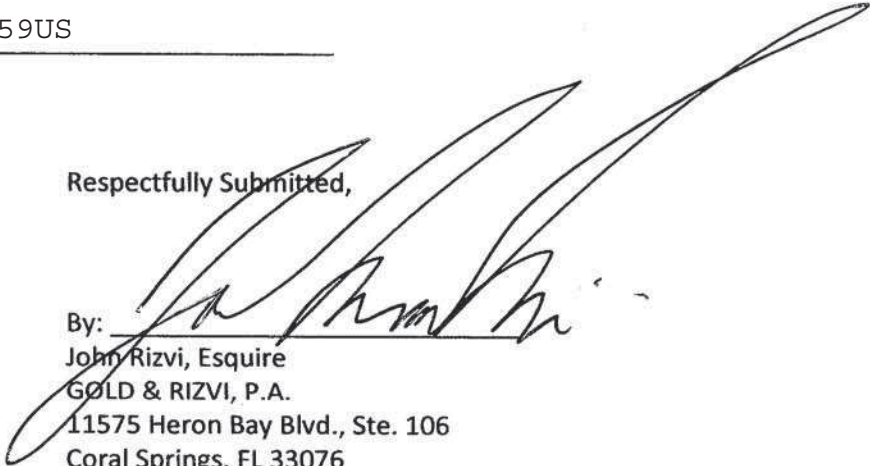
CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Petition for Cancellation (of U.S. Registration No. 1473491) and exhibits has been served on Atlantic Mutual Insurance Company Corporation, via *Express Mail Post Office to Address* service on January 26 2016 to:

Atlantic Mutual Insurance Company Corporation
100 Wall Street
New York, NY 10005.

Express Mail No.: EL113014859US

Respectfully Submitted,

By: 
John Rizvi, Esquire
GOLD & RIZVI, P.A.
11575 Heron Bay Blvd., Ste. 106
Coral Springs, FL 33076

At IAS Part 15 of the Supreme Court of the State of New York, County of New York, at the Courthouse, 80 Centre Street, New York, New York, on the 16 day of APRIL, 2011.

P R E S E N T:

HON. EILEEN A. RAKOWER, J.S.C.

In the Matter of

the Rehabilitation of

ATLANTIC MUTUAL INSURANCE COMPANY

In the Matter of

the Rehabilitation of

CENTENNIAL INSURANCE COMPANY

Index No. 402424/10

ORDER OF LIQUIDATION

FILED

APR 27 2011

NEW YORK

COURT'S OFFICE

ORDER OF LIQUIDATION OF ATLANTIC MUTUAL INSURANCE COMPANY

Petitioner, James J. Wrynn, Superintendent of Insurance of the State of New York ("Superintendent"), as rehabilitator ("Rehabilitator") of Atlantic Mutual Insurance Company ("AMIC") and Centennial Insurance Company (collectively, the "Companies"), having moved this Court by order to show cause ("Order to Show Cause") for orders to convert the rehabilitation proceeding of the Companies to a liquidation proceeding, and upon reading and filing the petition of the Superintendent, duly verified the 8th day of March, 2011, the affidavit of Peter A. Giacone, Chief Financial Officer of the New York Liquidation Bureau, sworn to March 2, 2011, and the exhibits attached thereto, this Court finds that:

1. AMIC was placed into rehabilitation and the Superintendent, and his successors in office, were appointed Rehabilitator by order of this Court ("Rehabilitation Order") entered September 16, 2010;

2. The Rehabilitation Order found that AMIC was insolvent;
3. The Rehabilitation Order found that the Board of Trustees consented to the entry of the Rehabilitation Order;
4. AMIC remains insolvent;
5. Further efforts to rehabilitate AMIC would be futile;
6. AMIC is subject to the New York Insurance Law ("Insurance Law") and, particularly, to Article 74 thereof; and
7. It is in the best interest of all persons concerned that the Superintendent be vested with title to all AMIC's property, contracts and rights of action and directed to liquidate its business and affairs;

NOW, on motion of the Honorable Eric T. Schneiderman, Attorney General of the State of New York, it is hereby

ORDERED as follows:

1. The relief requested in the petition for an order of liquidation is granted;
2. The rehabilitation proceeding of AMIC is converted to a liquidation proceeding;
3. The Superintendent, and his successors in office, are appointed liquidator of AMIC ("Liquidator") and are: (i) vested with all powers and authority expressed or implied under Insurance Law Article 74, in addition to the powers and authority set forth in this Order; (ii) vested with title to AMIC's property, contracts, rights of action and all its books and records, wherever located, as of the date of entry of this Order; and (iii) directed to liquidate AMIC's business and affairs in accordance with Insurance Law Article 74;
4. The Liquidator may deal with the property and business of AMIC in its name or in the name of the Liquidator;
5. The officers, directors, shareholders, members, depositories, trustees, policyholders, agents, servants, employees, attorneys, managers and affiliates of AMIC and all other persons other than the Liquidator and his agents are enjoined and restrained from: (i) wasting or permitting to be done any act or thing that might waste AMIC's property; (ii) transacting the business of AMIC or disposing of AMIC's property, except as authorized by the Liquidator;

(iii) interfering with the Liquidator in the possession, control and management of AMIC's property or in the discharge of his duties; and (iv) disclosing the name, address or contact information of AMIC's policyholders, or any other information that is proprietary to AMIC or not in the public domain, except as authorized by the Liquidator;

6. All persons are enjoined and restrained from commencing or prosecuting any actions or proceedings against AMIC, the Liquidator or the New York Liquidation Bureau, their present or former employees, attorneys or agents with respect to any claims against AMIC;
7. All persons are enjoined and restrained from obtaining preferences, judgments, attachments or other liens, or making any levy against AMIC's assets or any part thereof;
8. All parties to actions, lawsuits, and special or other proceedings in which AMIC is obligated to defend a party pursuant to an insurance policy, bond, contract or otherwise are enjoined and restrained from proceeding with any discovery, court proceedings or other litigation tasks or procedures, including, but not limited to, conferences, trials, applications for judgment or proceedings on settlement or judgment and the making of all liens, levies or other efforts to execute or collect on debts or judgments for a period of 180 days from the date of entry of this Order;
9. All persons who have first party or New York Comprehensive Automobile Insurance Reparation Act (No Fault) policyholder loss claims against AMIC are enjoined and restrained from presenting and filing claims with the Liquidator for a period of 90 days from the date of entry of this Order;
10. The Liquidator is authorized, permitted and allowed to sell, assign or transfer any and all stocks, bonds or securities, and any real or other property of AMIC at market price or better, or if there is no market price, at the best price obtainable at private sale at such times and upon such terms and conditions as, in his discretion, he deems is in the best interest of the creditors of AMIC, and he is further authorized to take such steps and to make and execute such agreements and other papers as may be necessary to effect and carry out such sales, transfers and assignments;
11. The Liquidator is vested with all of AMIC's rights under all its contracts and agreements not previously terminated, including all leases, tax sharing agreements and employment contracts of AMIC, however described, unless the Liquidator expressly terminates any such contract or agreement, in which case all liability under such contract or agreement shall cease and be fixed as of the date of termination;

12. All existing insurance policies of AMIC shall terminate within 45 days of the entry of this Order;
13. AMIC and its officers, directors, shareholders, members, depositories, trustees, policyholders, agents, servants, employees, attorneys, managers and affiliates, and all firms, corporations, associations and other persons or entities having any property and/or information, including, but not limited to, business records, insurance policies, claims files (electronic or paper), software programs, bank records and/or any tangible or intangible items of value, belonging to or relating to AMIC, shall preserve such property and/or information and immediately, upon the Liquidator's request and direction, assign, transfer, turn over and deliver such property and/or information to the Liquidator or his designees;
14. Any person or entity providing claims processing services, data processing services, electronic records retention services or other information technology services to AMIC shall maintain and preserve all information in its possession relating in any way to AMIC, wherever located, including, but not limited to, all documents, data, electronic files and records, computer equipment (*i.e.*, servers and printers), software programs and software licenses owned or leased by AMIC and are directed, upon the Liquidator's request, to promptly submit all such information to the Liquidator or his designees;
15. Any bank, savings and loan association, other financial institution or any other entity or person, which has on deposit or in its possession, custody or control of any of AMIC's funds, accounts or assets shall immediately, upon the Liquidator's request and direction: (i) turn over custody and control of such funds, accounts or assets to the Liquidator; (ii) transfer title of such funds, accounts or assets to the Liquidator; (iii) change the name of such accounts to the name of the Liquidator; (iv) withdraw funds from such bank, savings and loan association or other financial institution; or (v) take any lesser action necessary for the proper conduct of the liquidation proceeding;
16. In accordance with Insurance Law Section 7432(b), all claims against AMIC must be presented to the Liquidator within four months of the date of entry of this Order;
17. Any distribution of assets shall be in accordance with the priorities set forth in Insurance Law Article 74;
18. Immunity is extended to the Superintendent in his capacity as Liquidator and his successors in office and their agents and employees and such immunity is extended to them for any cause of action of any nature against them, individually or jointly, for any action or omission by any one or more of them when acting in good faith, in accordance with this Order, or in the performance of their duties pursuant to Insurance Law Article 74;

19. The Liquidator may at any time make further application to this Court for such further and different relief as he sees fit;
20. The Liquidator shall provide notice of this Order to all creditors, claimants and other interested persons by: (i) posting this Order on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> within 30 days after the entry of this Order; and (ii) publication of notice of this Order in *Business Insurance* once a week in two consecutive publication weeks, commencing within four weeks of entry of this Order, in a form substantially similar to the one attached hereto;
21. Such notice shall inform all creditors, claimants and other interested persons that this Order has been entered;
22. The notice prescribed in decretal paragraph 20 hereof is sufficient notice to all persons interested in AMIC;
23. This Court shall retain jurisdiction over this matter for all purposes;
24. The caption to this proceeding is hereby amended as follows:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the Matter of

the Liquidation of

ATLANTIC MUTUAL INSURANCE COMPANY

-----X
In the Matter of

the Liquidation of

CENTENNIAL INSURANCE COMPANY.
-----X

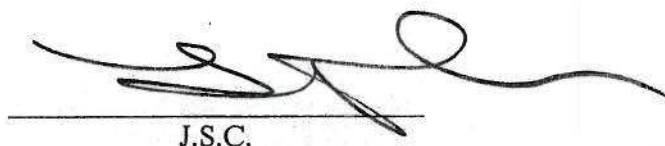
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NEW YORK
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25. All further papers in this proceeding shall bear the above amended caption.

ENTER



J.S.C.

HON. EILEEN A. RAKOWITZ



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New York Liquidation Bureau

Shirin Emami
Acting Superintendent as Receiver

January 21, 2016

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- [Order \(Liquidation\)](#)
- [Notice \(Amended OTSC\)](#)
- [OTSC \(Amended\)](#)
- [Order \(Rehabilitation\)](#)

Contact Person(s):

Claim Information:

Panso Satnarine (P/C)

(212) 341-6863

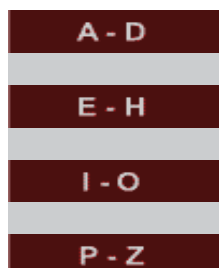
psatnarine@nylb.org

Silverio DiFazio (W/C)

(212) 341-6822

sdifazio@nylb.org

Select another Estate:



Atlantic Mutual Insurance Company

Estate Profile:

Date of Rehabilitation:	09/16/2010
Date of Liquidation:	04/27/2011
Termination of Policies:	06/11/2011
Proof of Claim Filing Deadline:	08/27/2011
Dividend Distribution:	Early Access (10.00%) 12/2015
Bar Date:	Submission of Claims - 12/15/2013 Final Date for Supporting Data - 01/16/2015

Historical Information:

Atlantic Mutual Insurance Company ("AMIC") was incorporated under the laws of the State of New York on April 11, 1842.

AMIC was placed into liquidation and the New York Superintendent of Insurance was appointed as Liquidator on April 27, 2011, by order of the Supreme Court of the State of New York.

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By Angela Arizpe
Angela Arizpe
Executive Assistant
Texas Department of Insurance

No. **11-0380**

OFFICIAL ORDER
of the
COMMISSIONER OF INSURANCE
of the
STATE OF TEXAS
AUSTIN, TEXAS

Date: **MAY 02 2011**

Subject Considered:

ATLANTIC MUTUAL INSURANCE COMPANY
and
CENTENNIAL INSURANCE COMPANY
New York, New York

DESIGNATION AS IMPAIRED INSURERS UNDER
TEXAS INSURANCE CODE CHAPTER 462

General remarks and official action taken:

On this day came on for consideration by the Commissioner of Insurance the matter of Atlantic Mutual Insurance Company ("Atlantic Mutual IC") and Centennial Insurance Company ("Centennial IC") organized in New York and doing business in the State of Texas. On April 27, 2011, the Supreme Court of the State of New York, County of New York entered an *Order of Liquidation* for each company in Index No. 402424/10, finding Atlantic Mutual IC and Centennial IC to be insolvent.

Based upon the finding of insolvency by the Supreme Court of the State of New York, County of New York, and having considered the purposes of TEX. INS. CODE Ch. 462, the Commissioner of Insurance finds that Atlantic Mutual IC and Centennial IC should be, and are hereby, designated as impaired insurers as that term is defined in TEX. INS. CODE § 462.004(5), effective April 27, 2011.

MIKE GEESLIN
COMMISSIONER OF INSURANCE

js Marilyn Hamilton
By: Marilyn Hamilton
Associate Commissioner
Property & Casualty Program
Commissioner's Order No. 11-0223

11-0380

Designation as an Impaired Insurers

Page 2 of 2

Reviewed by:



Rachel Giani

Staff Attorney, Financial Counsel Section

Legal and Regulatory Affairs Division



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Atlantic Mutual Insurance Company ("AMIC") was incorporated under the laws of the State of New York on April 11, 1842. AMIC was placed into liquidation and ...

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Company: Atlantic Mutual Insurance Company. c/o New York Liquidation Bureau.
Address: 110 William Street, 16th Floor. New York, NY 10038-1003. Phone:..

[PDF] Atlantic Mutual Insurance Company (AMIC)

www.iwcc.il.gov/AMIC.pdf ▾

ORDER OF LIQUIDATION OF ATLANTIC MUTUAL INSURANCE, OFHCEEK ... ("AMIC") and Centennial Insurance Company (collectively, the "Companies"), ...

[PDF] Atlantic Mutual Insurance Company - New York State ...

www.dfs.ny.gov/insura... ▾ New York State Department of Financial Services ▾
Jan 31, 2003 - understood to include the Atlantic Specialty Insurance Company and the Centennial Insurance Company, as well as the Atlantic Mutual ...

Atlantic Mutual Auto Insurance Review | Review of Atlantic ...

www.autoinsurance.org ▾ Companies ▾

New York's Atlantic Mutual Insurance Company is one of the nation's oldest and most storied mutual companies in history. The company was founded in 1838 as ...

Atlantic Mutual Insurance Company Inc. - Bloomberg

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Atlantic Mutual Insurance Company. Insolvency Date: 04/17/2011. NAIC Number: 19895. Claim Deadline: 08/27/2012. News: ...

[PDF] Suspension Order - Atlantic Mutual Insurance Company ...

www.cbs.state.or.us/ins/admin_actions/actions.../10-04-017.pdf ▾

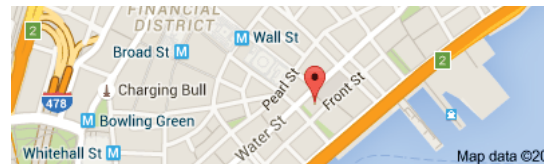
Suspension Order to Atlantic Mutual Insurance Company (AMIC) under Oregon Revised Statutes. (ORS) 731.256 and 731.414 because the Director has reason ...

Atlantic Mutual Insurance Company - tpciga

<https://www.tpciga.org/amic.html> ▾

LIQUIDATION ORDER. On April 27, 2011, Atlantic Mutual Insurance Company ("AMIC") and Centennial Insurance Company ("Centennial") were found insolvent ...

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Atlantic Mutual Insurance Company. c/o New York Liquidation Bureau. Address: 110 William Street, 16th Floor. New York, NY 10038-1003. Phone: (212) 341- ...

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Atlantic Mutual Insurance Company Inc. company research & investing information. Find executives and the latest company news.

ACE Acquires Personal Lines Business of Atlantic Mutual
www.insurancejournal.com/news/national/.../85850.ht... ▾ Insurance Journal ▾
 Dec 20, 2007 - The Atlantic Companies, also known as **Atlantic Mutual**, has sold its high-net-worth personal lines insurance business to The ACE Group of ...

Atlantic Mutual Auto Insurance Review | Review of Atlantic ...
www.autoinsurance.org ▾ Companies ▾
 New York's **Atlantic Mutual Insurance Company** is one of the nation's oldest and most storied mutual companies in history. The company was founded in 1838 as ...

Titanic insurer Atlantic Mutual sinks - MarketWatch
www.marketwatch.com ▾ Markets ▾ U.S. & Canada ▾ MarketWatch ▾
 May 6, 2011 - The 173-year-old **Atlantic Mutual Insurance Co.** managed to pay out claims when the Titanic sank, but it couldn't survive a wave of workers' ...

Finding Treasures Among Insurer's Wreckage - WSJ
www.wsj.com/.../SB1000142405297020405980... ▾ The Wall Street Journal ▾
 Feb 18, 2012 - **Atlantic Mutual Insurance** once insured the Titanic. When the company went under last year, it left behind a treasure trove of nautical ...

Searches related to atlantic mutual

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Atlantic Mutual Insurance Company



The Atlantic Mutual Insurance Company is a mutual insurance company which offers personal, marine, commercial property, and casualty insurance. It is part of the Atlantic Mutual Companies, which include Centennial Insurance Company. [Wikipedia](#)

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ACE Acquires Personal Lines Business of Atlantic Mutual
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Atlantic Mutual Insurance Company



The Atlantic Mutual Insurance Company is a mutual insurance company which offers personal, marine, commercial property, and casualty insurance. It is part of the Atlantic Mutual Companies, which include Centennial Insurance Company. [Wikipedia](#)

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